

APR - 6 2004

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BERNSTEIN, P.L.C.

FAX MSG NO. P21998.F04

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SENDING FAX NO. 703-716-1180

*****CONFIDENTIALITY NOTE*****

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FACSIMILE NO. : 703-872-9306
TO : Mr. David P. Bryant
FROM : GREENBLUM & BERNSTEIN, P.L.C.
DATE : April 6, 2004
SUBJECT : U.S. National Stage of International Application No. PCT/EP00/10298, entitled "Method for Producing Fittings for the Mechanical Processing of a Fibrous Material Suspension" for H-H KLEINSCHNITTGER et al.; Our Ref: P21998

Dear Mr. Bryant:

Further to our telephone conversation today, April 6, 2004, enclosed please find a signed copy of our Election with Traverse for the above-referenced matter, filed on November 6, 2003.

If you have any questions, please do not hesitate to contact us.

Very truly yours,



Neil F. Greenblum

enclosure: Election with Traverse (endorsed)

NFG/RWM/al

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APR. 6.2004 4:24PM

NO.728 P.2

GREENBLUM & BERNSTEIN, P.L.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

11/06/2003

File In: Mailroom

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

- ☒ Election with Traverse
- ☒ Amendment
- ☐ Executed Assignment and cover letter
- ☐ by facsimile
- ☐ Executed S.E.S. ☐ S.E.S. Assertion
- ☐ Req. for Ext. of time
- ☐ Fee Filing ☐
- Recording ☐
- Issue ☐
- Extension ☐
- ☐ Fee Transmittal
- ☐ Maintenance Fee Payment
- ☐ PTOL-85B Issue Fee
- ☐ Letter to Draftsman
- ☐ Design Patent Application Transmittal
- ☐ Utility Patent Application Transmittal
- ☐ Provisional Application Cover Sheet
- ☐ Continued Prosecution Application (CPA) Request Transmittal
- ☐ Request for Continued Examination (RCE) including Submission
- ☐ Cover Letter
- ☐ Check No. for \$
- ☐ Rule 53b and 53f Letter for Unexecuted Application
- ☐ Claim of Priority & Certified Copy of
- ☐ Declaration ☐ Supplemental
- ☐ New ☐ Unexecuted
- ☐ Executed by facsimile
- ☒ Transmittal Letter
- ☒ Patent Application
- ☐ Provisional ☐ Reexam
- ☐ Reissue ☐ Design
- ☐ Continuation ☐ CIP
- pages (w/abstract)
- claims independent
- sheets of drawings
- figures
- ☐ I.D.S. form PTO-1449 & References ☐ as attached
- ☐ as listed on reverse
- ☐ One self-addressed postcard
- ☐ Certification under 1.97(e)
- ☐ Certificate of Mailing (C-O-M)
- ☐ Returned Envelope



In the matter of : METHOD FOR PRODUCING FITTING FOR THE MECHANICAL PROCESSING OF A FIBROUS MATERIAL SUSPENSION

Applicant : Hans-Herrmann KLEINSCHNITZER et al.

Application No. : 10/070,431

Patent No.

Filed : 4/09/2002

Issued :

Docket : P21998 Rwm

P21998.P10

GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Attorney Docket No. P21998

In re application of : H. KLEINSCHNITTGER et al. Mail Stop Non-fee
Serial No. : 10/070,431 Group Art Unit: 3726
Filed : October 19, 2000 Examiner: D. Bryant
§ 371 Date : April 9, 2002
For : METHOD FOR PRODUCING FITTINGS FOR THE MECHANICAL PROCESSING
OF A FIBROUS MATERIAL SUSPENSION

Mail Stop Non-Fee
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an election with traverse in the above-captioned application.

- ___ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.
___ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
___ A Request for Extension of Time.
☒ No additional fee is required.

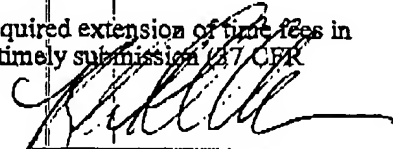
The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 21	21*	0	x 9=	\$	x 18=	\$0.00
Indep. Claims: 3	*3*	0	x 43=	\$	x 86=	\$0.00
Multiple Dependent Claims Presented			+145=	\$	+290=	\$0.00
Extension Fees for Month				\$		\$0.00
Total:				\$	Total:	\$0.00

*If less than 20, write 20

**If less than 3, write 3

- ___ Please charge my Deposit Account No. 19-0089 in the amount of \$ _____.
N/A A Check in the amount of \$ _____ to cover the *filing/extension* fee is included.
☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.
☒ Any additional filing fees required under 37 C.F.R. 1.16.
☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission 37 C.F.R. 1.136) (a)(3)


Neil F. Greenblum

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P21998.A05

APR - 6 2004

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Customer No.: 7055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : H. KLEINSCHNITTGER et al. Confirmation No.: 1508
Appln. No. : 10/070,431 Art Unit: 3726
Filed : October 19, 2000 Examiner: D. Bryant
§371 Date : April 9, 2002
For : METHOD FOR PRODUCING FITTINGS FOR THE
MECHANICAL PROCESSING OF A FIBROUS MATERIAL
SUSPENSION

SPECIES ELECTION WITH TRAVERSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Species Election Requirement of October 6, 2003, the time set for response being one month from the mailing date from the U.S. Patent and Trademark Office, i.e., November 6, 2003, Applicants hereby elect, with traverse, species A, which is directed to the embodiment in which the base body and processing elements are adhesively joined. Applicants note that claims 5 - 7 are readable on the elected species, while claims 1 - 4, 9 - 13, 15, 16, and 19, as noted by the Examiner in the Species Election Requirement, are generic. The above election is made with traverse for the reasons set herein below:

In the Species Election Requirement of October 6, 2003, the Examiner required an election of one of the following species:

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Customer No.: 7055

Species A -- the embodiment in which the base body and the processing element are adhesively joined;

Species B -- the embodiment in which the base body and the processing element are joined by mounting elements; and

Species C -- the embodiment in which the base body and the processing element are joined by a force-lock connection;

Applicants respectfully submit that the Examiner has omitted one of the two criteria for a proper restriction requirement now established by the U.S. Patent and Trademark Office policy. That is, as set forth in M.P.E.P. § 803, "an appropriate explanation" must be advanced by the Examiner as to the existence of a "serious burden" if the restriction requirement were not required.

While the Examiner has alleged a possible distinction between the identified species of invention, the Examiner has not shown that a concurrent examination of these species would present a serious burden. In fact, there is no appropriate statement that the search areas required to examine the combination of features of each species would not overlap. Thus, Applicants respectfully submit that the necessary search, if not totally co-extensive, would appear to have a very substantial degree of overlap.

Because the search for each species of invention is substantially the same, Applicants submit that no undue or serious burden would be presented in concurrently examining species A - C. Thus, for the above-noted reasons, and consistent with the office policy set forth above in M.P.E.P. § 803, Applicants respectfully request that the Examiner

P21998.A05

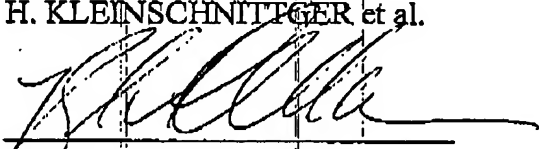
Customer No.: 7055

reconsider and withdraw the restriction and species requirement in this application.

For all of the above reasons, the Examiner's restriction is believed to be improper. Nevertheless, Applicants have elected, with traverse, species A of the invention, i.e., claims 5-7, such that at least claims 1-7, 9-13, 15, 16, and 19 should remain pending and under consideration, in the event that the Examiner chooses not to reconsider and withdraw the species election requirement.

Should the Examiner have any questions or comments, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
H. KLEINSCHNITZER et al.


Neil F. Greenblum
Reg. No. 28,394 *RA 35,013*

November 6, 2003
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
703-716-1191